

NEW YORK STATE SECURITY BREACH REPORTING FORM
Pursuant to the Information Security Breach and Notification Act
(General Business Law §899-aa)

Name and address of Entity that owns or licenses the computerized data that was subject to the breach:

McCabe, Martin, Coleman & Ventosa, PLLC

Street Address: 42 Catharine Street

City: Poughkeepsie State: New York Zip Code: 12601

Submitted by: Christopher W. Meyer Title: Of Counsel Dated: August 17, 2018

Firm Name (if other than entity): Whiteman, Osterman & Hanna LLP

Telephone: (518) 487-7712 Email: cmeyer@woh.com

Relationship to Entity whose information was compromised: Attorney

Type of Organization (please select one): ☐ Governmental Entity in New York State; ☐ Other Governmental Entity; ☐ Educational; ☐ Health Care; ☐ Financial Services; ☒ Other Commercial; or ☐ Not-for-profit.

Number of Persons Affected:

Total (Including NYS residents): Fewer than 535 NYS Residents: Fewer than 507

If the number of NYS residents exceeds 5,000, have the consumer reporting agencies been notified? ☐ Yes ☒ No

Dates: Breach Occurred: April 1, 2018 Breach Discovered: June 20, 2018 Consumer Notification: August 17, 2018

Description of Breach (please select all that apply):

☐ Loss or theft of device or media (e.g., computer, laptop, external hard drive, thumb drive, CD, tape);

☐ Internal system breach; ☐ Insider wrongdoing; ☒ External system breach (e.g., hacking);

☐ Inadvertent disclosure ; ☐ Other specify: _____

Information Acquired: Name or other personal identifier in combination with (please select all that apply):

☒ Social Security Number

☒ Driver's license number or non-driver identification card number

☒ Financial account number or credit or debit card number, in combination with the security code, access code, password, or PIN for the account

Manner of Notification to Affected Persons - ATTACH A COPY OF THE TEMPLATE OF THE NOTICE TO AFFECTED NYS RESIDENTS:

☒ Written ☐ Electronic ☐ Telephone ☐ Substitute notice

List dates of any previous (within 12 months) breach notifications: None

Identify Theft Protection Service Offered: ☐ Yes ☒ No

Duration: _____ Provider: _____

Brief Description of Service: _____



MCCABE MARTIN
COLEMAN & VENTOSA PLLC
ATTORNEYS AT LAW

DANIEL J. MCCABE, Esq.
JEFFREY C. MARTIN, Esq.
CHRISTOPHER S. COLEMAN, Esq.
JOHN J. VENTOSA, Esq.

Of Counsel
DAVID L. STEINBERG, Esq.
JOHN B. CLARKE, Esq.

August 17, 2018

Dear Sir/Madam:

We are writing to let you know that our firm's email was recently attacked by an unknown computer hacker, who used information apparently obtained during the attack in an unsuccessful attempt to steal money from the firm.

The firm has investigated this incident and it appears that the hacker accessed certain emails sent or received between April 1, 2018 and June 15, 2018. The firm is taking this matter very seriously and has implemented additional security measures to reduce the threat of a similar attack in the future.

The firm has no reason to believe the attack is ongoing and has no evidence that the hacker has attempted to misuse any information other than the firm's financial account information. Nevertheless, we are sharing this information with you, because the hacker appears to have obtained access to emails containing personal and confidential information.

Please contact us if you have questions about specific information, if any, the hacker may have obtained about you. In general, the types of information that the hacker may have obtained include (1) your name, social security number, driver's license number or non-driver ID number, credit card or bank account number, and (2) other information sent via email about you, including confidential legal matters we may have been handling on your behalf.

If you are concerned about the particular content of emails which may have been improperly accessed during such time frame, please contact us and we will undertake a further analysis with you.

We will notify you if the firm learns any new information about the breach that may affect you. In the meantime, out of an abundance of caution, please review the attachment to this letter for information regarding immediate steps you can take to protect yourself and your personal information.

The firm deeply regrets any concern or inconvenience that this incident may cause you. Please do not hesitate to contact either Daniel McCabe or Christopher Coleman if you have questions or concerns.

Sincerely,

McCABE MARTIN COLEMAN & VENTOSA, PLLC

PHONE 845.379.2222 WWW.MCCABEMARTIN.COM FAX 845.454.5934

(electronic service not authorized)

REPLY TO ADDRESS INDICATED

☒ 42 Catharine St., Poughkeepsie, NY 12601 ☐ 187 East Market St., Ste. 204, P.O. Box 649, Rhinebeck, NY 12572

Steps You Can Take to Protect Your Information

As a precautionary measure, we recommend that you remain vigilant by reviewing your account statements and credit reports. You may also want to consider putting a security freeze on your credit file with each of the three credit reporting agencies.

If you detect suspicious activity, you should promptly notify the financial institution or company that maintains the account. You also should promptly report any fraudulent activity or suspected identity theft to proper law enforcement authorities, the New York State Attorney General, and/or the Federal Trade Commission.

You may obtain a free copy of your credit report from each of the three major credit reporting agencies once every 12 months by visiting: <https://www.annualcreditreport.com>, calling toll-free 1-877-322-8228, or by mailing an annual credit report request form to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348. You can find a copy of the request form at: <https://www.annualcreditreport.com/landingpage.action>.

You may also wish to consider placing a fraud alert on your credit report. An initial fraud alert is free and will stay on your credit file for at least 90 days. The alert informs creditors of possible fraudulent activity within your report and requests that the creditor contact you prior to establishing any accounts in your name. To place a fraud alert on your credit report, contact any of the three major reporting agencies: TransUnion: 1-800-680-7289, Experian: 1-888-397-3742, and Equifax: 1-888-766-0008. Ask the company to put a fraud alert on your credit line, and confirm that the company you called will contact the other two. Additional information is available at: <https://www.annualcreditreport.com/protectYourIdentity.action>.

You also have a right to place a "security freeze" on your credit file, which will prohibit a consumer credit reporting agency from accessing or releasing information in your credit report without your express consent. It will also prevent new credit from being opened in your name without the use of a PIN number that is issued to you. However, using a security freeze may delay or interfere with your ability to obtain credit. There also may be a fee of approximately \$5 to place, lift, or remove the security freeze. Additional information is available at: <https://www.dos.ny.gov/consumerprotection/pdf/Security%20Freeze031116.pdf>.

For additional information on how to avoid identity theft, the Federal Trade Commission provides a comprehensive guide to help you guard against, identify, and respond to identity theft, a copy of which may be found at: <https://www.consumer.ftc.gov/articles/pdf-0009-identitytheft-a-recovery-plan.pdf>. For more information, please visit <https://www.identitytheft.gov> or call 1-877-ID-THEFT (1-877-438-4338). As a New York resident, you may also wish to review information provided by the New York Attorney General at <https://ag.ny.gov/consumer-frauds-bureau/identity-theft>.